

ORDINANCE TO CORRECT CROSS-REFERENCES IN CITY CODE SECTION 34-49

WHEREAS, Article II of chapter 34 of the City Code, the Fair Housing Ordinance, uses the expression "residential real estate related transaction" with incorrect cross referencing; and

WHEREAS, in the last sentence of City Code section 34-49, the internal reference to "this subsection" should be to "this section";

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DURHAM ORDAINS:

Sec. 1. City Code section 34-49 is revised to read:

Sec. 34-49. - Discrimination in financial practices.

It is an unlawful discriminatory housing practice for any person or other entity whose business includes engaging in residential real estate related transactions to discriminate against any person in making available such a transaction, or in the terms and conditions of such a transaction, because of race, color, religion, sex, national origin, handicap, or familial status. As used in this ~~subsection~~article, "residential real estate related transaction" means:

- (1) The making or purchasing of loans or providing financial assistance:
 - a. For purchasing, constructing, improving, repairing, or maintaining a dwelling; or
 - b. Where the security is residential real estate; or
- (2) The selling, brokering, or appraising of residential real estate.

The provisions of this ~~subsection~~section shall not prohibit any financial institution from using a loan application which inquires into a person's financial and dependent obligations or from basing its actions on the income or financial abilities of any person.

Sec. 2. In this ordinance, the struck-through material is deleted from the existing text, and the underlined material is added to the existing text.

Sec. 3. This ordinance is effective when adopted.